

Message Text

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TAGS: PFOR, UN, TQ

SUBJECT: UN COMMITTEE OF 24 (C-24): INTERNATIONAL LEAGUE FOR THE
RIGHTS OF MAN STATEMENT ON THE NORTHERN MARIANAS

1. ON AUGUST 19, PROFESSOR ROGER CLARK OF RUTGERS UNIVERSITY
APPEARED BEFORE THE C-24 ON BEHALF OF THE INTERNATIONAL LEAGUE
FOR THE RIGHTS OF MAN TO STATE THE LEAGUE'S POSITION ON THE
NORTHERN MARIANAS. THE TEXT OF PROFESSOR CLARK'S STATEMENT HAS
BEEN POUCHED TO THE DEPARTMENT (SHIELE-IO/UNP) AND STATUS LNO.

2. QUOTE:

PRESS RELEASE GA/COL/1764
19 AUGUST 1976

MR. CLARK SAID THAT UNFORTUNATELY IT APPEARED THAT THE
TRUSTEESHIP COUNCIL WAS NOT FULLY MEETING ITS RESPONSIBILITIES
TO THE TERRITORY. WITH THE NON-ATTENDANCE OF CHINA AT
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COUNCIL MEETINGS, THE MEMBERSHIP OF THE COUNCIL WAS NOW

THE UNITED STATES, FRANCE AND THE UNITED KINGDOM, "THREE COLONIAL POWERS", AND THE SOVIET UNION, "WHICH DOES NOT APPEAR PREPARED TO TAKE A STRONG STAND ON THIS MATTER".

HE REQUESTED THAT THE COMMITTEE RECOMMEND TO THE GENERAL ASSEMBLY "THAT IT PASS A RESOLUTION CONDEMNING THE EFFORTS OF THE UNITED STATES TO ESTABLISH A NEW COLONIAL TERRITORY IN ONE OF THE ARCHIPELAGOES OF MICRONESIA, THE NORTHERN MARIANA ISLANDS". THOSE EFFORTS RAN COUNTER TO PARAGRAPH 6 OF THE ASSEMBLY'S 1960 DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES, WHICH RELATED TO ATTEMPTS TO DISRUPT THE NATIONAL UNITY AND TERRITORIAL INTEGRITY OF A COUNTRY.

THE PEOPLE OF THE NORTHERN MARIANA ISLANDS CONSTITUTED A DISTINCT MINORITY OF THE PEOPLE OF THE TRUST TERRITORY AND COULD NOT BE SAID TO HAVE A "RIGHT" OF SELF-DETERMINATION SEPARATE AND APART FROM THE OTHER PEOPLE OF THE TRUST TERRITORY, HE DECLARED. THE FRAGMENTATION OF MICRONESIA AND THE HOLDING OF SEPARATE PLEBISCITES AT DIFFERENT TIMES IN THE MARIANAS AND IN THE REST OF MICRONESIA RAN COUNTER TO STATED UNITED NATIONS POLICY REGARDING NAMIBIA AND WOULD SET A PRECEDENT WHICH COULD BE USED BY SOUTH AFRICA IN SUPPORT OF ITS ATTEMPTS TO FRAGMENT NAMIBIA. SEPARATION OF THE NORTHERN MARIANAS WAS LIKELY TO ENCOURAGE FURTHER FRAGMENTATION IN THE TERRITORY.

BY SUPPORTING THE PRETENSIONS OF THE NORTHERN MARIANAS GROUP, HE ADDED, THE UNITED STATES CLEARLY HAS MADE IT DIFFICULT, IF NOT IMPOSSIBLE, FOR OTHER ISLAND GROUPS TO SURVIVE AS AN INDEPENDENT UNIT.

MR. CLARK SAID THAT PROVISIONS ON "COMMONWEALTH STATUS" IN THE PROPOSED COVENANT BETWEEN THE NORTHERN MARIANAS AND THE UNITED STATES WOULD RETAIN BROAD LEGISLATIVE POWER FOR THE UNITED STATES CONGRESS, A BODY IN WHICH THE PEOPLE OF THE MARIANAS WOULD NOT BE REPRESENTED. THE COVENANT WOULD NOT EXTEND VARIOUS GUARANTEES OF THE UNITED STATES CONSTITUTION TO THE INHABITANTS OF THE MARIANAS.

ANNEXATION, HE REMARKED, WAS "THE LEAST DESIRABLE WAY TO SOLVE STATUS PROBLEMS LEFT OVER FROM THE COLONIAL ERA".

HE SAID THE UNITED STATES HAD KEPT THE ROLE OF THE UNITED NATIONS TO A MINIMUM. THE UNITED NATIONS WAS ASKED TO "OBSERVE", NOT SUPERVISE, THE PLEBISCITE IN THE NORTHERN MARIANAS.

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THE ALTERATION OF THE TERMS OF A TRUSTEESHIP AGREEMENT REQUIRED THE CONSENT OF THE SECURITY COUNCIL UNDER ARTICLE 83, PARAGRAPH 1, OF THE UNITED NATIONS CHARTER, HE CONTINUED. HOWEVER, THE UNITED STATES WAS NOT ONLY BYPASSING THE SECURITY COUNCIL NOW, BUT IT HAD SUGGESTED THAT THE COUNCIL'S AGREEMENT WOULD NOT EVEN BE NECESSARY FOR THE TERMINATION OF THE TRUSTEESHIP AGREEMENT. IT WAS IMPLIED THAT THE UNITED STATES ADMINISTRATION LOOKED UPON TERMINATION AS A UNILATERAL

ACT -- A POSITION DECISIVELY REJECTED BY THE INTERNATIONAL COURT OF JUSTICE IN ITS 1950 ADVISORY OPINION ON THE STATUS OF SOUTH-WEST AFRICA.

THE COMMITTEE MUST ACT "IN THE ABSENCE OF FIRM DIRECTION FROM THE TRUSTEESHIP COUNCIL", HE STATED. THE COUNCIL'S ACTION IN SENDING A VISITING MISSION TO OBSERVE THE PLEBISCITE IN THE MARIANAS ISLANDS IN JUNE 1975 HAD GIVEN "THE REGRETTABLE APPEARANCE OF UNITED NATIONS CONDONATION OF THE ACTIVITIES OF THE ADMINISTERING POWER IN DISMEMBERING THE TERRITORY". HE ASKED THE COMMITTEE TO CORRECT THAT APPEARANCE.

THE COMMITTEE, HE ADDED, SHOULD BE FIRM IN ITS EFFORTS TO ENSURE THAT ANY CHANGE IN STATUS FOLLOWED UPON THE EXPRESSION OF A FREE CHOICE OF OPTIONS, INCLUDING THAT OF INDEPENDENCE. SUCH A CHOICE SHOULD BE EXERCISED IN AN ATMOSPHERE AS FREE AS POSSIBLE FROM PRESSURES ENGENDERED BY PROMISED FINANCIAL BENEFITS AND WITHOUT UNDUE EMPHASIS BEING GIVEN TO THE STRATEGIC CLAIMS OF THE ADMINISTERING AUTHORITY.

DRASTAMAT S. CHALYAN (SOVIET UNION) SAID THE PETITIONER HAD MADE AN INCORRECT COMMENT ABOUT THE POSITION OF THE SOVIET UNION IN THE TRUSTEESHIP COUNCIL. THE SOVIET UNION'S POLICY REGARDING COLONIALISM WAS PERFECTLY CLEAR AND IT HAD ALWAYS TAKEN A FIRM POSITION ON THE MATTER.

THE SOVIET UNION HAD OFTEN OBJECTED TO THE FACT THAT THE TRUSTEESHIP COUNCIL HAD FAILED TO CO-OPERATE WITH THE COMMITTEE REGARDING THE TRUST TERRITORY OF THE PACIFIC ISLANDS.

IVAN G. GARVALOV (BULGARIA) SAID THE STATEMENT BY THE PETITIONER WAS VERY INTERESTING AND HE WOULD STUDY IT CAREFULLY. HOWEVER, IT CONTAINED AN INCORRECT ASSESSMENT OF THE SOVIET UNION'S POSITION IN THE FIELD OF DECOLONIZATION. THE COMMITTEE'S MANDATE CAME FROM RESOLUTION 1514 (XV), THE DECLARATION ON ENDING COLONIALISM.

HE ADDED THAT MOST OF THE POINTS MADE BY MR. CLARK WERE ALREADY IN THE REPORT ON THE TRUST TERRITORY SUBMITTED BY THE

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SUB-COMMITTEE ON SMALL TERRITORIES, (DOCUMENT A/AC.109/L.1118),
A REPORT WHICH HE HOPED WOULD BE ADOPTED BY THE COMMITTEE.
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